

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TOMMY HALL,

Plaintiff,
v.
Case Number 09-10933
Honorable David M. Lawson
Magistrate Judge Mark A. Randon

JANY SHARPLEY, RAWAL, CORRECTIONAL
MEDICAL SERVICES, INC., and PRISON
HEALTH SERVICES, INC.,

Defendants.

/

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,
GRANTING DEFENDANT SHARPLEY'S MOTION FOR SUMMARY JUDGMENT
AND DISMISSING CLAIMS AGAINST DEFENDANT SHARPLEY ONLY**

Presently before the Court is a report issued on July 18, 2012 by Magistrate Judge Mark A. Randon pursuant to 28 U.S.C. § 636(b) recommending that this Court grant defendant Sharpley's motion for summary judgment. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt. #155] is **ADOPTED**.

It is further **ORDERED** that defendant Sharpley's motion for summary judgment [dkt. #128] is **GRANTED**.

It is further **ORDERED** that the plaintiff's claims are **DISMISSED** with respect to defendant Sharpley **only**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: August 7, 2012

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 7, 2012.

s/Deborah R. Tofil
DEBORAH R. TOFIL